

REMARKS

Applicant is in receipt of the Office Action mailed April 26, 2005. Claims 1 – 69 were rejected. Claims 1 – 69 remain pending in the application. Reconsideration of the present case is earnestly requested in light of the following remarks.

Telephone Interview Summary

On Tuesday, July 26, Mark S. Williams, Patent Agent Reg. No. 50,658, conducted a telephone interview with Examiner Huynh, in which the Examiner clarified his interpretation of the claim language and explained his reasoning, suggesting that Applicant amend the references to “a single graphical user interface” to refer to “a single graphical user interface *panel*” or equivalent, to distinguish over a single screen displaying multiple GUIs. The Examiner also indicated that Applicant needed to distinguish Applicant’s concurrently executing graphical programs from prior art concurrent execution of graphical sub-programs under a single calling graphical program. Applicant proposed amending the claims (as a submission for an RCE) to clarify the distinctions between the present invention and the cited art (and official notice).

In addition to the arguments provided in the previous Response, which is hereby incorporated by reference in its entirety, Applicant respectfully submits the following remarks.

Section 103 Rejections

Claims 1 – 69 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2001/0034881 (Washington). Applicant respectfully traverses this rejection.

Applicant respectfully submits that there are numerous features and limitations of claim 1 that Washington fails to teach or suggest, and so Washington fails as a basis for establishing *prima facie* obviousness.

Amended claim 1 recites:

1. A method for executing graphical data flow programs, the method comprising:

executing a first graphical data flow program, wherein said executing the first graphical data flow program produces first program output;

executing a second graphical data flow program concurrently with the first graphical data flow program, wherein said executing the second graphical data flow program produces second program output, and wherein said executing the first graphical data flow program and said executing the second graphical data flow program are performed without invocation of the first and second graphical data flow programs by a third graphical data flow program; and

displaying the first program output and the second program output in a single graphical user interface panel on a display.

As noted in the previous Responses, Washington nowhere teaches or suggests executing two graphical programs concurrently, where each graphical program produces respective program output. Nor does Washington teach or suggest, or even hint at, displaying the respective program outputs from the two concurrently executing graphical program in a single graphical user interface on a display. Nor does Washington provide any motivation to execute two graphical programs concurrently, nor to display the respective program outputs from the two concurrently executing graphical program in a single graphical user interface on a display.

The Examiner argued that the previous claim language was broad enough to read on concurrently executing sub-VIs called by an executing third program, as well as on the display of multiple GUIs on a single screen. Applicant respectfully submits that claim 1 as currently amended clearly distinguishes over both of these alleged prior art features. More specifically, and directly regarding amended claim 1, Applicant submits that the cited art fails to teach concurrent execution of first and second graphical data flow programs, “wherein said executing the first graphical data flow program and said executing the second graphical data flow program are performed without invocation of the first and second graphical data flow programs by a third graphical data flow program”. In other words, the concurrently executing programs are *not* sub-VIs (i.e., subroutines) invoked by a third calling program.

Additionally, per the Examiner's suggested amendment, Applicant submits that the cited art also fails to teach or suggest "displaying the first program output and the second program output in a *single graphical user interface panel* on a display".

Thus, for at least the reasons provided above, Applicant respectfully submits that claim 1 and claims dependent thereon are patentable over the cited art. Independent claims 28, 36, 38, 40, 51-54, 55, 62, and 66 recite similar features and limitations as claim 1, and so the above arguments apply with equal force to these claims. Thus, for at least the reasons provided above, Applicant submits that these claims, and claims respectively dependent thereon, are also allowable.

Applicant also asserts that numerous ones of the dependent claims recite further distinctions over Washington. For example, amended claim 2 recites the additional limitations of:

receiving user input to the single graphical user interface *panel* during said executing; and
providing the user input to at least one of the first graphical data flow program or the second graphical data flow program.

Applicant submits that the concept of receiving user input to a single graphical user interface *panel* that displays program output from two different concurrently executing graphical data flow programs and providing the user input to at least one of the concurrently executing graphical data flow programs is a novel concept that is unknown in the prior art. The cited art contains no teaching or suggestion that would motivate one to implement this functionality, for reasons similar to those discussed above.

Applicant also asserts that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the independent claims have been shown to be patentably distinct, a further discussion of the dependent claims is not necessary at this time.

Applicant thus submits that the present claims are patentable over the cited art for at least the reasons given above. Removal of the 103 rejection of claims 1-69 is respectfully requested.

CONCLUSION

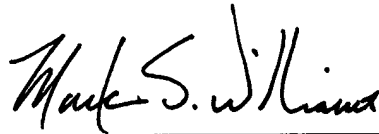
In light of the foregoing amendments and remarks, Applicant submits the application is now in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5150-56000/JCH.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☒ Request for Continued Examination
- ☐ Check in the amount of \$ for fees ().
- ☐ Other:

Respectfully submitted,



Mark S. Williams
Reg. No. 50,658
AGENT FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel PC
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800
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